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Security Council

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Security Council Committee established pursuant to resolution 2048 (2012) concerning Guinea-Bissau

Letter dated 12 September 2012 from the Permanent Representative of Portugal to the United Nations addressed to the Chair of the Committee

In reference to the letter dated 28 June 2012, I have the honour to submit herewith the report of the Government of Portugal regarding the implementation of resolution 2048 (2012) (see annex), in accordance with paragraph 10 of that resolution, in which the Security Council calls upon Member States to report to the Committee within 120 days of the adoption of the resolution on steps taken with a view to implementing effectively its paragraph 4.

(*Signed*) José Filipe **Moraes Cabral**
Ambassador

12-51085 (E) 210912

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Annex to the letter dated 12 September 2012 from the Permanent Representative of Portugal to the United Nations addressed to the Chair of the Committee

Report on the implementation of Security Council resolution 2048 (2012) by Portugal

In accordance with paragraph 10 of Security Council resolution 2048 (2012), Portugal has the honour of informing the Security Council Committee established pursuant to that resolution of the measures adopted at the national level with a view to implementing the sanctions imposed on certain individuals of the Republic of Guinea-Bissau.

The Council of the European Union adopted decision 2012/237/CFSP on 3 May 2012, concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau. These measures included travel restrictions on six listed individuals.

After the adoption of Security Council resolution 2048 (2012) on 18 May 2012, imposing a travel ban on five individuals who had already been listed by the Council of the European Union in decision 2012/237/CFSP of 3 May, the Council of the European Union adopted decision 2012/285/CFSP of 31 May 2012, concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau, which replaced Council decision 2012/237/CFSP of 3 May 2012. This decision included travel restrictions on 21 individuals from the Republic of Guinea-Bissau, including the five originally listed in the annex to Security Council resolution 2048 (2012) and the six added on 20 July 2012 by the Security Council Committee established pursuant to that resolution.

According to article 29 of the Treaty on European Union, Council decisions are binding law in Portugal.

In Portugal, the competent authorities in the field of restrictive travel ban restrictions are the Ministry for Foreign Affairs and the Ministry of Home Affairs. These institutions, committed to the full implementation of resolution 2048 (2012), undertook inter-agency coordination procedures and circulated the resolution to all governmental departments involved in its comprehensive national application.

According to Council regulation (EC) No. 539/2001 of 15 March 2001, which lists the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, nationals of the Republic of Guinea-Bissau are required to be in possession of a visa when entering the European Union. Therefore, the respective restrictions on admission are to be implemented through the visa application process.

The Ministry of Home Affairs, namely, the SEF (Serviço de Estrangeiros e Fronteiras (border control of persons)) has already proceeded with the implementation of the visa restrictions stipulated in Council decision 2012/237/CFSP, and therefore in Security Council resolution 2048 (2012), by digitally registering the pronibition of entry. This registration is valid for five years

and renewable for the same period. The information was also circulated among the other security forces on the ground.

Law 11/2002 of 16 February 2002 sets out the Portuguese legal framework on penalties applicable to the infringement of sanctions imposed by the Security Council resolutions or European Union regulations. According to this law, whoever breaches the sanctions imposed by the United Nations or the European Union will be sentenced to three to five years in prison.

Council of the European Union decision 2012/285/CFSP of 31 May 2012, which replaced Council decision 2012/237/CFSP of 3 May, together with Council regulation (EU) No. 377/2012 of 3 May 2012 and Council implementing regulation (EU) No. 458/2012 of 31 May 2012 implementing article 11 (1) of regulation (EU) No. 377/2012, also imposed asset freezes on 21 individuals, including the 5 originally listed in the annex to Security Council resolution 2048 (2012) and the 6 added on 20 July 2012.

The European Union's restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau now include travel restrictions and financial sanctions on 21 individuals.